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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DIRECTV, INC., a California corporation,

 Plaintiff,

 vs.

 PATRICK HOLKENBRINK,

 Defendant.

Case No. CV-04-04616 PVT

Hon. Patricia V. Trumbull

**STIPULATION FOR VOLUNTARY
 DISMISSAL OF DEFENDANT PATRICK
 HOLKENBRINK AND REQUEST TO
 RETAIN JURISDICTION; ~~PROPOSED~~
 ORDER THEREON**

IT IS HEREBY STIPULATED by and between Plaintiff DIRECTV, Inc.
 (“DIRECTV”) and Defendant PATRICK HOLKENBRINK (“Defendant”), through their
 respective counsel of record, that the above-captioned action be and hereby is dismissed without
 prejudice, pursuant to Fed. R. Civ. P. 41(a)(1), as to Defendant. Each of said parties to bear
 its/his own costs and attorney’s fees.

The terms of the Confidential Settlement Agreement dated June 8, 2005
 (“Agreement”) entered into between the Defendant and DIRECTV require the performance of
 certain obligations by Defendant that will not be completed until June 2006. If the Defendant
 does not timely or fully perform these obligations when due, DIRECTV is authorized to seek
 enforcement of those obligations in this Court. The parties therefore have consented, and hereby
 further stipulate and consent to, the retention of jurisdiction over them by this Court and to

1 reference to a Magistrate Judge in this District for the purpose of enforcing those obligations of
2 the Agreement, as defined therein. The parties therefore respectfully request that the Court retain
3 such jurisdiction.

4 DATED: July 6, 2005

Respectfully Submitted,

5 BUCHALTER, NEMER, FIELDS & YOUNGER
6 A Professional Corporation

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8 By: /s/ Suzanne M. Burke
9 Suzanne M. Burke
Attorneys for Plaintiff DIRECTV, Inc.

10 DATED: July 6, 2005

PARR LAW GROUP

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13 By: /s/ Shawn R. Parr
14 Shawn R. Parr
Attorneys for Defendant Patrick Holkenbrink

ORDER

HAVING READ AND CONSIDERED the forgoing Stipulation for Voluntary Dismissal of Defendant PATRICK HOLKENBRINK and Request to Retain Jurisdiction, and such other pleadings, documents and records deemed appropriate by the Court, and good cause appearing therefore, IT IS HEREBY ORDERED:

(1) Defendant PATRICK HOLKENBRINK is hereby dismissed from this action without prejudice;

(2) Each of said parties to bear its/his own costs and attorney's fees; and

(3) The Court shall retain jurisdiction over DIRECTV and Defendant PATRICK HOLKENBRINK to enforce the terms described above of the Settlement Agreement between those parties dated June 8, 2005 and hereby refers any further proceedings in this action to enforce such terms of the Settlement Agreement to a Magistrate Judge of this District.

Dated: 7/7/05

/s/ Patricia V. Trumbull

Honorable Patricia V. Trumbull
United States District Court
Northern District of California

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